

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on May 18, 2004, and the references cited therewith.

Claims 27, 28, 44, and 45 are amended, no claims are canceled, and no claims are added; as a result, claims 27, 28, 44, and 45 are now pending in this application.

§102 Rejection of the Claims

Claims 27-28 and 44-45 were rejected under 35 USC §102(b) as being anticipated by Schantz, et al. (U.S. Patent No. 6,086,190).

In the office action dated May 18, 2004, the Examiner cited the Schantz reference as describing each and every limitation of Applicant's independent claims 27 and 44. Schantz appears to describe a sensing element that senses an electrical charge from ink droplets as the ink droplets make contact with the sensing element. (See col. 3, lines 32-34). The Schantz reference does not describe a non-contact electrically biased sensing target.

In contrast, Applicant's independent claims 27 and 44, as amended, each recite in part:

“a non-contact electrically biased sensing target; and
a sensing amplifier coupled to the sensing target, whereby the
sensing target is imparted with an electrical stimulus generated
by a capacitive current related to a charge on an ink droplet.”

From the Applicant's review of the Schantz reference, the Applicant is unable to locate any description for a non-contact electrically biased sensing target nor is the Applicant able to locate a sensing amplifier coupled to the sensing target. By way of example and not by way of limitation, the disclosure on page 9 of Applicant's specification, as originally filed, supports the amended claim language.

As such, each and every limitation of Applicant's independent claims 27 and 44 is not shown by the Phillips reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §102 rejection of independent claims 27 and 44, as well as those claims which depend therefrom.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 12th day of July, 2004.

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Respectfully Submitted,
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